

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
PINE BLUFF DIVISION**

THIS IS A CAPITAL CASE

MARCEL WAYNE WILLIAMS

PETITIONER

v.

No. 5:02CV00450 JLH

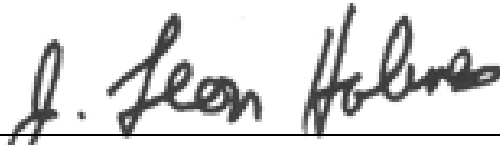
LARRY NORRIS, Director,
Arkansas Department of Correction

RESPONDENT

ORDER

The respondent has filed a motion to reconsider the court order denying video deposition. Document #70. The Attorney General has asserted that Peggy O'Neal could travel to the hearing in this matter under subpoena without fear of arrest but does not wish to have that assertion characterized as an opinion of the Attorney General for the State of Arkansas. The State may either agree to be bound by that opinion and ensure that Peggy O'Neal can travel without fear of arrest, or the State can agree to attend her video deposition in Memphis. The Court does not care which alternative the State chooses, but it must choose one or the other. To that extent, the motion to reconsider is GRANTED.

IT IS SO ORDERED this 8th day of December, 2006.



J. LEON HOLMES
UNITED STATES DISTRICT JUDGE